

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

UNITED STATES OF AMERICA,

Plaintiff,

v.

CLEVELAND J. WHITE FEATHER,

Defendant.

Case No. 11-cr-40060-JPG

MEMORANDUM AND ORDER

This matter comes before the Court on the defendant's *pro se* motion seeking a variety of relief (Doc. 50), including the discharge of one of his appointed counsel Daniel Schattnik. The defendant filed this motion *pro se*, although he is represented by counsel. A defendant does not have a right to file his own motions when he is represented by counsel. *See Hayes v. Hawes*, 921 F.2d 100, 102 (7th Cir. 1990) (*per curiam*). The Court so advised the defendant at the August 11, 2011, status conference (Doc. 21) and again in an order dated January 10, 2012 (Doc. 49). "The right to representation by counsel and self-representation are mutually exclusive." *Cain v. Peters*, 972 F.2d 748, 750 (7th Cir. 1992). So-called "hybrid representation" confuses and extends proceedings and, therefore, it is forbidden. *See United States v. Oreye*, 263 F.3d 669, 672-73 (7th Cir. 2001).

Therefore, the Court **ORDERS** the defendant's *pro se* motion (Doc. 50) be **STRICKEN**. The Court **WARNS** White Feather that if he continues to make further *pro se* filings while he is represented by counsel, the Court will instruct the Clerk of Court to refuse to accept them for filing.

However, the Court takes note of White Feather's expression of dissatisfaction with counsel and **ORDERS** that a hearing on the matter of appointment of counsel on January 27, 2012, at 10:30 a.m. in Benton, Illinois.

IT IS SO ORDERED.

DATED: January 19, 2012

s/ J. Phil Gilbert
J. PHIL GILBERT
DISTRICT JUDGE